

Notice of Allowability

Application No.

10/797,001

Applicant(s)

BALSDON, JULIAN G.

Examiner

Christopher Verdier

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3745

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to ____.
2. ☒ The allowed claim(s) is/are 1-16.
3. ☐ The drawings filed on ____ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☒ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date ____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date ____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other ____. |

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Kevin McKinley, Attorney of Record, on July 28, 2005.

The application has been amended as follows:

In the Claims:

Claim 1 is amended as follows:

-- 1. (Currently Amended) A sealing arrangement for sealing a leakage gap between at least two relatively moveable parts which are adjacent to each other in a flow path between a region of high fluid pressure and a region of low fluid pressure, at least one groove being provided along each adjacent face of the relatively moveable parts, wherein the sealing arrangement further comprises at least two resilient sealing strips, each strip having a portion formed along at least part of its width to locate in the at least one groove, the remaining portion of each of the at least two sealing strips ~~having~~ consisting of a substantially flat surface, the at least two sealing strips being configured such that in operation their substantially flat surfaces abut each other and the pressure difference between the high pressure region and the

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low pressure region cause the flat surfaces to be forced together, the substantially flat surfaces extending out of the at least one groove --.

In the Drawings:

The following changes to the drawings have been approved by the examiner and agreed upon by applicant: In order to avoid abandonment of the application, applicant must make these agreed upon drawing changes.

In figures 1-2, the rotor structure may be removed from the figures.

The above change to claim 1 has been made to place the application in condition for allowance for the reasons set forth below. The above change to the drawings has been approved in order to remove new matter (the shape of the rotor) from figures 1 and 2.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance:

Claim 1 is directed towards an unobvious improvement over the invention patented in US. Patent 5,125,796 to Cromer. Cromer '796 discloses a sealing arrangement substantially as claimed, including two resilient sealing strips 40 that abut each other and are located in at least one groove formed by element 44, with each strip having a portion 50a, 50b formed along at least part of its width to locate in the at least one groove, with the remaining portion 54, 56 of each of the at least two sealing strips having a substantially flat surface. The improvement comprises the remaining portion of each of the at least two sealing strips consisting of a

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substantially flat surface. In Cromer '796, the remaining portion of each of the at least two sealing strips includes curved portions (50b, 52b). Attempting to eliminate the remaining curved portions of each of the at least two sealing strips would involve hindsight, and would destroy the operability of the seal of Cromer, and therefore would not be obvious.

Claim 1 is directed towards an unobvious improvement over the invention disclosed in US. Patent Application Publication 2003/0039542 to Cromer. Cromer '542 discloses a sealing arrangement substantially as claimed, including two resilient sealing strips 24, 124 that abut each other and are located in at least one groove 58, 60, with each strip having a portion 32, 132 formed along at least part of its width to locate in the at least one groove, with the remaining portion 24, 124 of each of the at least two sealing strips having a substantially flat surface. The improvement comprises the substantially flat surfaces extending out of the at least one groove. In Cromer '542, the substantially flat surfaces remain in the groove 58, 60.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Verdier whose telephone number is (571) 272-4824. The examiner can normally be reached on Monday-Friday from 10:00-6:30.

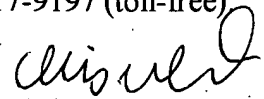
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward K. Look can be reached on (571) 272-4820. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

C.V.

August 2, 2005



Christopher Verdier

Primary Examiner

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